

Office of the City Manager

City of Dublin 5200 Emerald Parkway • Dublin, OH 43017-1090 Phone: 614-410-4400 • Fax: 614-410-4490

Memo

To: Members of Dublin City Council

From: Marsha I. Grigsby, City Manager / MCC

Date: June 27, 2014

Initiated By: Paul A. Hammersmith, PE, Director of Engineering/City Engineer

Jean-Ellen M. Willis, PE, Engineering Manager – Transportation

Philip K. Hartmann, Assistant Law Director

Re: ORDINANCE 71-14 - AUTHORIZING THE CITY MANAGER TO EXECUTE

CONVEYANCE DOCUMENTS TO ACCEPT THE DONATION OF A 0.003 ACRE, MORE OR LESS, FEE SIMPLE INTEREST DONATED BY MUIRFIELD ASSOCIATION, INC. FOR THE PROPERTY LOCATED AT THE SOUTHWEST CORNER OF DUBLIN ROAD AND GLICK ROAD; AND A 0.026 ACRE, MORE OR LESS, FEE SIMPLE INTEREST; A 0.002 ACRE, MORE OR LESS, STORM SEWER EASEMENT; A 0.011 ACRE, MORE OR LESS, TEMPORARY EASEMENT; AND A 0.016 ACRE, MORE OR LESS, TEMPORARY EASEMENT DONATED BY MUIRFIELD ASSOCIATION, INC., FOR THE PROPERTY LOCATED ON GLICK ROAD FOR THE CONSTRUCTION OF IMPROVEMENTS AT THE INTERSECTION OF DUBLIN ROAD AND GLICK ROAD, AND

DECLARING AN EMERGENCY.

Background

The City of Dublin ("City"), the Village of Shawnee Hills, the Ohio Department of Transportation, and the Delaware County Engineer's Office (collectively, the "Project Partners") are working together to construct improvements at the intersection of Dublin Road and Glick Road (the "Project"). The Project includes construction of left turn lanes on each approach and will improve the sight distance on the north leg of the intersection by cutting down the hill by the El Vaquero restaurant. Pedestrian facilities will be added to the north side of Glick Road, west of Dublin Road, and the traffic signal will be upgraded to include such items as new mast arms, pedestrian push buttons in all four quadrants, and LED signal heads. The City is obtaining property interests from various landowners to construct the improvements, including acquiring temporary easements to perform minor grading and construction.

Muirfield Association, Inc. (the "Grantor") owns two properties from which the City desires a temporary easement. The properties are located at the southwest corner of Dublin Road and Glick Road, and along Glick Road, just west of Dublin Road. The properties are identified as Delaware County Parcel Nos. 600-344-05-052-000 and 600-432-19-025-000, respectively.

After engaging in amicable discussions, the Grantor has agreed to donate this property interest to the City. This Ordinance authorizes the execution of conveyance documents to accept this property as a donation from the Grantor.

Acquisition

The City will be acquiring from the Grantor only the property interest necessary for the construction of the Project as depicted in the legal description and maps attached to this memorandum. The property interest is detailed below:

Muirfield Association, Inc.

Parcel Number	Property Interest Acquiring	Description
600-344-05-052- 000	Fee Simple Interest	0.003 acre ±
600-432-19-025- 000	Fee Simple Interest	0.026 acre ±
600-432-19-025- 000	Storm Sewer Easement	0.002 acre ±
600-432-19-025- 000	Temporary Easement	0.011 acre ±
600-432-19-025- 000	Temporary Easement	0.016 acre ±

Recommendation

Ordinance No. 71-14 would authorize the City Manager to execute all necessary conveyance documentation to formally acquire the necessary property interest described above.

The Law Department recommends Council dispense with the public hearing and approve Ordinance 71-14 by emergency at the July 1 Council meeting in order to finalize the donation of the property from the Muirfield Association, Inc. to the City, and continue moving forward with the Project.

RECORD OF ORDINANCES

	Form No. 30043	
 71-14 Ordinance No Passed	20	
AN ORDINANCE AUTHORIZING THE CITY MANA- CONVEYANCE DOCUMENTS TO ACCEPT THE DONA ACRE, MORE OR LESS, FEE SIMPLE INTERES MUIRFIELD ASSOCIATION, INC. FOR THE PROPE THE SOUTHWEST CORNER OF DUBLIN ROAD AND O A 0.026 ACRE, MORE OR LESS, FEE SIMPLE INTERE MORE OR LESS, STORM SEWER EASEMENT; A 0.01 LESS, TEMPORARY EASEMENT; AND A 0.016 ACRE TEMPORARY EASEMENT DONATED BY MUIRFIEL INC., FOR THE PROPERTY LOCATED ON GLICK CONSTRUCTION OF IMPROVEMENTS AT THE IN DUBLIN ROAD AND GLICK ROAD, AND DECLARING	ATION OF A 0.003 ST DONATED BY ERTY LOCATED AT GLICK ROAD; AND EST; A 0.002 ACRE, 1 ACRE, MORE OR E, MORE OR LESS, D ASSOCIATION, ROAD FOR THE NTERSECTION OF	
WHEREAS, the City of Dublin (the "City"), the Village of Department of Transportation, and the Delaware County Engitogether to construct improvements at the intersection of Duble (the "Project"); and	neer's Office are working	
WHEREAS, the City is responsible for the property acqui	sition necessary for the	
WHEREAS, said Project requires that the City obtain certain Delaware County Parcel Nos. 600-344-05-052-000 and 600-43 Muirfield Association, Inc. (the "Grantor"), said property interest the Exhibits labeled "A" and depicted in the Exhibits labeled and	32-19-025-000 owned by st more fully described in	
WHEREAS, the City desires to receive two fee simple interessewer easement, and two temporary easements as a confidence of the Association, Inc., said property interests described in the adepicted in the attached Exhibit "B" located in the City of Dub State of Ohio; and	donation from Muirfield attached Exhibit "A" and	
WHEREAS, this donation will require Muirfield Association, Indwarranty deeds, a deed of easement for a permanent storm so deeds of easement to the City of Dublin without consideration of	ewer, and two temporary	
NOW, THEREFORE, BE IT ORDAINED by the Council of th Ohio, of the elected members concurring that:	e City of Dublin, State of	
Section 1. The City Manager is hereby authorized t documents for two fee simple interests, a permanent storm stemporary easements donated by Muirfield Association, Inc.		
Section 2. This Ordinance is declared to be an emerg immediate preservation of the public peace, health, safety further reason that obtaining the property interest is necessary this Project. The ordinance shall therefore take effect immedia	or welfare, and for the for the advancement of	
Passed thisday of, 2014.		
Mayor – Presiding Officer		

Page 1 of 2

PARCEL 3-WD ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE IN THE FOLLOWING DESCRIBED PROPERTY

Ver. Date: 01/21/2014

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS

Situated in the State of Ohio, County of Delaware, City of Dublin, Township of Concord, Virginia Military Survey Number 2545, being a part of Reserve "00" of Muirfield Village Phase 8, recorded in Plat Book 12, Page 23, said reserve being in the name of Muirfield Association, Inc. (the grantor), as recorded in Plat Book 12, Page 23, all references being to those of record in the Recorder's Office, Delaware County, Ohio, and being more particular described as follows:

Commencing, for reference, at a 3/4 inch pipe (found) at the northwesterly corner of said reserve and the northeasterly corner of Lot 461 of said Muirfield Village in the name of Rahim G. & Joann E. Haghighi, RGH Management Trust, Rahim G. Haghighi, Trustee as recorded in Official Record 1112, Page 59, said corner being on the southerly existing right of way line of Glick Road (width varies), 50.12 feet right of Glick Road station 49+30.24;

Thence, along said existing right of way line, in a southeasterly direction, an arc distance of 28.24 feet, along the arc of a curve deflecting to the right, having a central angle of 53 degrees 56 minutes 25 seconds, a radius of 30.00 feet, and a chord that bears South 76 degrees 40 minutes 00 seconds East, a distance of 27.21 feet to an iron pin (set) 45.00 feet left of Dublin Road station 19+32.36, said pin (set) also being **The Point of Beginning** of the parcel herein described:

Thence, along the westerly existing right of way line of Dublin Road (width varies), in a southeasterly direction, an arc distance of 17.57 feet along the arc of a curve deflecting to the right, having a central angle of 33 degrees 33 minutes 26 seconds, a radius of 30.00 feet, and a chord that bears South 32 degrees 55 minutes 05 seconds East, a distance of 17.32 feet, to an iron pin (set) 40.00 feet left of Dublin Road station 19+15.77;

Thence, continuing along said existing right of way line, South 16 degrees 08 minutes 22 seconds East, a distance of 15.77 feet to an iron pin (set), 40.00 feet left of Dublin Road station 19+00.00;

Thence, leaving said existing right of way line, through said Reserve "00", South 73 degrees 51 minutes 38 seconds West, a distance of 5.00 feet to an iron pin (set), 45.00 feet left of Dublin Road station 19+00.00;

Thence, continuing through said Reserve "00", North 16 degrees 08 minutes 22 seconds West, a distance of 32.36 feet to **The Point of Beginning** and containing 0.003 acres, more or less.

The bearings in the above description are based on the bearing between Delaware County Engineer's Monuments "97-006" & "97-142" being North 72 degrees 52 minutes 25 seconds East, as measured on the Ohio State Plane Coordinate System, South Zone, 2007 adjustment.

All iron pins set are 5/8"x30" rebar, capped with a yellow id stamped "Mullaney P.S. 7900".

All references being to those of record in the Recorder's Office, Delaware County, Ohio.

Subject to any and all easements, rights of way, conditions and restrictions of record, all legal highways, zoning ordinances, rules and regulations.

This description was prepared based on an actual field survey by GPD Group dba Glaus, Pyle, Schomer, Burns, & DeHaven, Inc. performed under the direct supervision of Steven L. Mullaney, Registered Surveyor #7900, in December, 2013.

Glaus, Pyle, Schomer, Burns, & DeHaven, Inc.

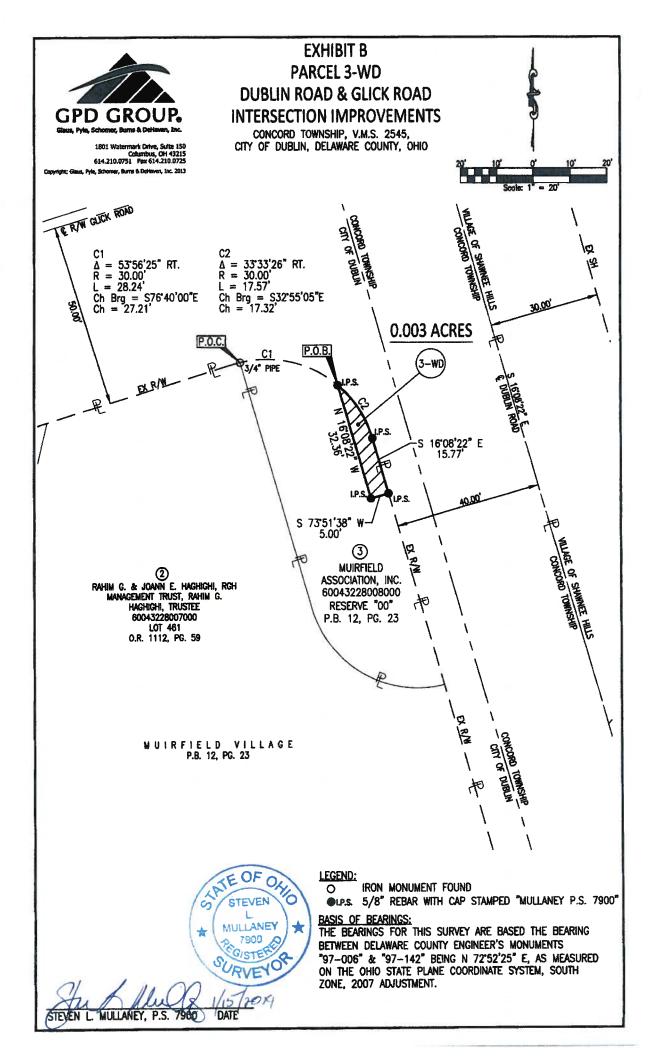
dba GPD Group

Steven L. Mullaney, P.S.

Professional Surveyor No. 7900

January 21, 2014

L:\Cad\PRODUCTION\PROJECTS\10917.00 Dublin - Dublin & Glick\ROW\legal\03-WD.docx



Ver. Date: 01/21/2014 Page 1 of 2

PARCEL 11-WD ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE IN THE FOLLOWING DESCRIBED PROPERTY WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

Situated in the State of Ohio, County of Delaware, City of Dublin, Township of Concord, Virginia Military Survey Number 2545, being a part of a 1.600 acre tract in the name of Muirfield Association, Inc., as recorded in Deed Book 377, Page 418, all references being to those of record in the Recorder's Office, Delaware County, Ohio, and being more particular described as follows:

Commencing, for reference, at a 3/4 inch pipe (found) at the southeasterly corner of Lot 912 of Weybridge Section 1, as recorded in Plat Book 16, Page 45, in the name of The Keiser Keystone Inheritance Trust, Susan A. Waller, Trustee, as recorded in Deed Book 1123, Page 2568, and also the southwesterly corner of a 1.600 acre tract in the name of Muirfield Association, Inc., as recorded in Deed Book 377, Page 418, said corner being on the northerly existing right of way line of Glick Road (width varies) and The Point of Beginning of the parcel herein described:

Thence, leaving said existing right of way line, through the grantor's tract, North 70 degrees 06 minutes 22 seconds East, a distance of 225.12 feet to a iron pin (set) on the grantor's easterly line and the westerly line of a 5.560 acre tract in the name of Stephen H. & Kendra E. Heinlen, as recorded in Deed Volume 538, Page 110, said pin (set), being 40.00 feet left of Glick Road station 46+64.92;

Thence, along said property line, South 15 degrees 37 minutes 52 seconds East, a distance of 10.00 feet to an iron pin (set) on the northerly existing right of way line of said Glick Road, 30.00 feet left of Glick Road station 46+64.92;

Thence, along said existing right of way line, South 72 degrees 39 minutes 07 seconds West, a distance of 224.60 feet to the **The Point of Beginning** and containing 0.026 acres, more or less, with 0.000 acres more or less being within the Present Roadway Occupied (P.R.O.).

The bearings in the above description are based on the bearing between Delaware County Engineer's Monuments "97-006" & "97-142" being North 72 degrees 52 minutes 25 seconds East, as measured on the Ohio State Plane Coordinate System, South Zone, 2007 adjustment.

All iron pins set are 5/8"x30" rebar, capped with a yellow id stamped "Mullaney P.S. 7900".

All references being to those of record in the Recorder's Office, Delaware County, Ohio.

Subject to any and all easements, rights of way, conditions and restrictions of record, all legal highways, zoning ordinances, rules and regulations.

This description was prepared based on an actual field survey by GPD Group dba Glaus, Pyle, Schomer, Burns, & DeHaven, Inc. performed under the direct supervision of Steven L. Mullaney, Registered Surveyor #7900, in December, 2013.

Glaus, Pyle, Schomer, Burns, & DeHaven, Inc.

dba GPD Group

Steven L. Mullaney, P.S.

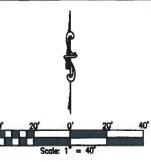
Professional Surveyor No. 7900

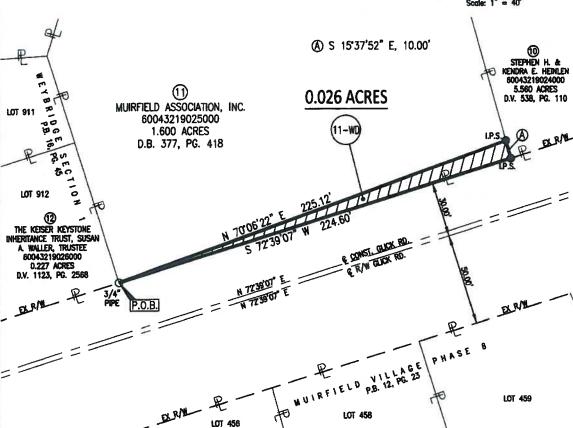
January 21, 2014
1:\Cad\PRODUCTION\PROJECTS\10917.00 Dublin - Dublin & Glick\ROW\legal\11-WD.docx



EXHIBIT B PARCEL 11-WD DUBLIN ROAD & GLICK ROAD INTERSECTION IMPROVEMENTS

CONCORD TOWNSHIP, V.M.S. 2545, CITY OF DUBLIN, DELAWARE COUNTY, OHIO





LEGEND:

O IRON MONUMENT FOUND

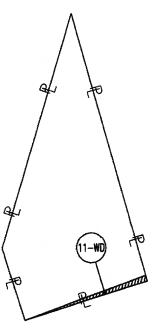
●LP.S. 5/8" REBAR WITH CAP STAMPED "MULLANEY P.S. 7900"

BASIS OF BEARINGS:

THE BEARINGS FOR THIS SURVEY ARE BASED THE BEARING BETWEEN DELAWARE COUNTY ENGINEER'S MONUMENTS "97-006" & "97-142" BEING N 72'52'25" E, AS MEASURED ON THE OHIO STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, 2007 ADJUSTMENT.



STEVEN L. MULLANEY, P.S. 7990 DATE



PROPERTY BOUNDARY
NOT TO SCALE

Ver. Date: 01/21/2014 Page 1 of 2

PARCEL 11-S DESCRIPTION OF A PERMANENT STORMSEWER AND DRAINAGE EASEMENT

A perpetual easement for the construction and maintenance of a sewer in, upon and over the within described real estate. Grantor/Owner herein retains the right to use said real estate for any and all other purposes provided that such does not interfere with nor impair the exercise of the easement herein granted (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

Situated in the State of Ohio, County of Delaware, City of Dublin, Township of Concord, Virginia Military Survey Number 2545, being a part of a 1.600 acre tract in the name of Muirfield Association, Inc., as recorded in Deed Book 377, Page 418, all references being to those of record in the Recorder's Office, Delaware County, Ohio, and being more particular described as follows:

Commencing, for reference, at a 3/4 inch pipe (found) at the southeasterly corner of Lot 912 of Weybridge Section I, as recorded in Plat Book 16, Page 45, in the name of The Keiser Keystone Inheritance Trust, Susan A. Waller, Trustee, as recorded in Deed Book 1123, Page 2568, and also the southwesterly corner of a 1.600 acre tract in the name of Muirfield Association, Inc., as recorded in Deed Book 377, Page 418, said corner being on the northerly existing right of way line of Glick Road (width varies);

Thence, leaving said existing right of way line, through the grantor's tract, North 70 degrees 06 minutes 22 seconds East, a distance of 80.06 feet, to a point 33.56 feet left of Glick Road station 45+20.00 and **The Point of Beginning** of the parcel herein described:

Thence, continuing through the grantor's tract, for the following four (4) calls:

- 1. North 17 degrees 20 minutes 53 seconds West, a distance of 6.44 feet to a point, 40.00 feet left of Glick Road station 45+20.00;
- 2. North 72 degrees 39 minutes 07 seconds East, a distance of 13.00 feet to a point, 40.00 feet left of Glick Road station 45+33.00;
- 3. South 17 degrees 20 minutes 53 seconds East, a distance of 5.87 feet to a point, 34.13 feet left of Glick Road station 45+33.00;
- 4. South 70 degrees 06 minutes 22 seconds West, a distance of 13.01 feet to **The Point of Beginning** and containing 0.002 acres, more or less.

The bearings in the above description are based on the bearing between Delaware County Engineer's Monuments "97-006" & "97-142" being North 72 degrees 52 minutes 25 seconds East, as measured on the Ohio State Plane Coordinate System, South Zone, 2007 adjustment.

All references being to those of record in the Recorder's Office, Delaware County, Ohio. Subject to any and all easements, rights of way, conditions and restrictions of record, all legal highways, zoning ordinances, rules and regulations.

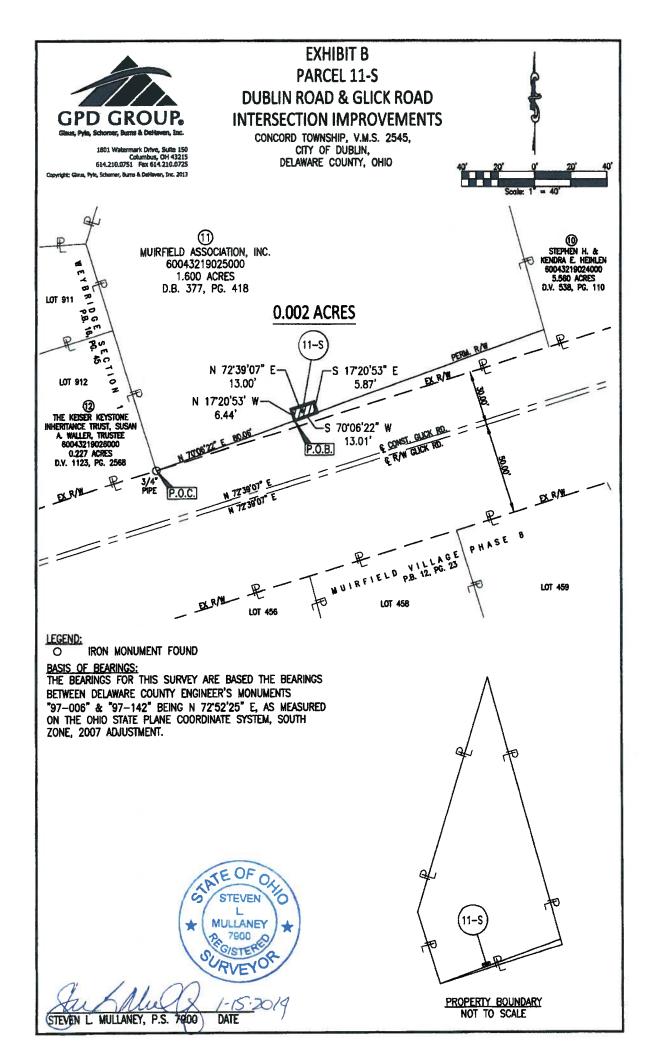
This description was prepared based on an actual field survey by GPD Group dba Glaus, Pyle, Schomer, Burns, & DeHaven, Inc. performed under the direct supervision of Steven L. Mullaney, Registered Surveyor #7900, in December, 2013.

Glaus, Pyle, Schomer, Burns, & DeHaven, Inc. dba GPD Group

Steven L. Mullaney, P.S.

Professional Surveyor No. 7900

January 21, 2014
L'Cad\PRODUCTION\PROJECTS\10917.00 Dublin - Dublin & Glick\ROW\legal\11-S.docx



Ver. Date: 01/21/2014 Page 1 of 2

PARCEL 11-T1 DESCRIPTION OF A TEMPORARY CONSTRUCTION AND GRADING EASEMENT

Situated in the State of Ohio, County of Delaware, City of Dublin, Township of Concord, Virginia Military Survey Number 2545, being a part of a 1.600 acre tract in the name of Muirfield Association, Inc., as recorded in Deed Book 377, Page 418, all references being to those of record in the Recorder's Office, Delaware County, Ohio, and being more particular described as follows:

Commencing, for reference, at a 3/4 inch pipe (found) at the southeasterly corner of Lot 912 of Weybridge Section 1, as recorded in Plat Book 16, Page 45, in the name of The Keiser Keystone Inheritance Trust, Susan A. Waller, Trustee, as recorded in Deed Book 1123, Page 2568, and also the southwesterly corner of a 1.600 acre tract in the name of Muirfield Association, Inc., as recorded in Deed Book 377, Page 418, said corner being on the northerly existing right of way line of Glick Road (width varies) and **The Point of Beginning** of the parcel herein described:

Thence, leaving said existing right of way line along the grantor's westerly line and the easterly line of said Lot 912, North 17 degrees 20 minutes 39 seconds West, a distance of 5.00 feet to a point, 35.00 feet left of Glick Road station 44+40.02;

Thence, leaving said property line, through the grantor's tract for the following three (3) calls:

- 1. North 69 degrees 04 minutes 29 seconds East, a distance of 80.14 feet to a point, 40.00 feet left of Glick Road station 45+20.00;
- 2. South 17 degrees 20 minutes 53 seconds East, a distance of 6.44 feet to a point, 33.56 feet left of Glick Road station 45+20.00;
- 3. South 70 degrees 06 minutes 22 seconds West, a distance of 80.06 feet, to **The Point of Beginning** and containing 0.011 acres, more or less.

The bearings in the above description are based on the bearing between Delaware County Engineer's Monuments "97-006" & "97-142" being North 72 degrees 52 minutes 25 seconds East, as measured on the Ohio State Plane Coordinate System, South Zone, 2007 adjustment.

All references being to those of record in the Recorder's Office, Delaware County, Ohio.

Subject to any and all easements, rights of way, conditions and restrictions of record, all legal highways, zoning ordinances, rules and regulations.

This description was prepared based on an actual field survey by GPD Group dba Glaus, Pyle, Schomer, Burns, & DeHaven, Inc. performed under the direct supervision of Steven L. Mullaney, Registered Surveyor #7900, in December, 2013.

Glaus, Pyle, Schomer, Burns, & DeHaven, Inc. dba GPD Group

Steven L. Mullaney, P.S.

Professional Surveyor No. 7900

Ver. Date: 01/21/2014 Page 1 of 2

PARCEL 11-T2 DESCRIPTION OF A TEMPORARY CONSTRUCTION AND GRADING EASEMENT

Situated in the State of Ohio, County of Delaware, City of Dublin, Township of Concord, Virginia Military Survey Number 2545, being a part of a 1.600 acre tract in the name of Muirfield Association, Inc., as recorded in Deed Book 377, Page 418, all references being to those of record in the Recorder's Office, Delaware County, Ohio, and being more particular described as follows:

Commencing, for reference, at a 3/4 inch pipe (found) at the southeasterly corner of Lot 912 of Weybridge Section I, as recorded in Plat Book 16, Page 45, in the name of The Keiser Keystone Inheritance Trust, Susan A. Waller, Trustee, as recorded in Deed Book 1123, Page 2568, and also the southwesterly corner of a 1.600 acre tract in the name of Muirfield Association, Inc., as recorded in Deed Book 377, Page 418, said corner being on the northerly existing right of way line of Glick Road (width varies);

Thence, leaving said existing right of way line, through the grantor's tract, North 70 degrees 06 minutes 06 seconds East, a distance of 93.07 feet, to a point 34.13 feet left of Glick Road station 45+33.00 and **The Point of Beginning** of the parcel herein described:

Thence, continuing through the grantor's tract, North 17 degrees 20 minutes 53 seconds West, a distance of 5.87 feet to a point, 40.00 feet left of Glick Road station 45+33.00;

Thence, continuing through the grantor's tract, North 70 degrees 29 minutes 02 seconds East, a distance of 132.16 feet to a point on the grantor's easterly property line and the westerly property line of a 5.560 acre tract in the name of Stephen H. & Kendra E. Heinlen, as recorded in Deed Volume 538, Page 110, 45.00 feet left of Glick Road station 46+65.07;

Thence, along said property line, South 15 degrees 37 minutes 52 seconds East, a distance of 5.00 feet to an iron pin (set), 40.00 feet left of Glick Road station 46+64.92;

Thence, leaving said property line, running through the grantor's tract, South 70 degrees 06 minutes 22 seconds West, a distance of 132.05 feet to **The Point of Beginning** and containing 0.016 acres, more or less.

The bearings in the above description are based on the bearing between Delaware County Engineer's Monuments "97-006" & "97-142" being North 72 degrees 52 minutes 25 seconds East, as measured on the Ohio State Plane Coordinate System, South Zone, 2007 adjustment.

All iron pins set are 5/8"x30" rebar, capped with a yellow id stamped "Mullaney P.S. 7900".

All references being to those of record in the Recorder's Office, Delaware County, Ohio.

Subject to any and all easements, rights of way, conditions and restrictions of record, all legal highways, zoning ordinances, rules and regulations.

This description was prepared based on an actual field survey by GPD Group dba Glaus, Pyle, Schomer, Burns, & DeHaven, Inc. performed under the direct supervision of Steven L. Mullaney, Registered Surveyor #7900, in December, 2013.

Glaus, Pyle, Schomer, Burns, & DeHaven, Inc. dba GPD Group

Steven L. Mullaney, P.S.

Professional Surveyor No. 7900

January 21, 2014
I:\Cad\PRODUCTION\PROJECTS\10917.00 Dublin - Dublin & Glick\ROW\legal\t1-T2.docx